

Report Date: April 17, 2014

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Apr 18, 2014**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Rogelio Barajas

Case Number: 0980 2:08CR02141-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: October 15, 2009

Original Offense: Possession of Ammunition by Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 45 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: October 21, 2013

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: June 20, 2016

PETITIONING THE COURT**To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 12/30/2013.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
3	<p>Standard Condition #3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.</p> <p>Supporting Evidence: This officer attempted to contact the defendant in person at his residence on March 22, 2014, and March 26, 2014, without success. I have attempted to contact the defendant through his cellular phone on the following dates: March 17, 19, 24, 25, and 31, 2014, and the defendant has failed to return this officer's messages and request for a return call.</p>
4	<p>Special Condition #15: You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.</p> <p>Supporting Evidence: The defendant was to enter into aftercare services at Merit on or about March 6, 2014, however, he has failed to attend group sessions on the following dates: March 6, 13, 20, and 27, 2014. He has since been terminated from services due to noncompliance.</p>

Prob12C

Re: Barajas, Rogelio**April 17, 2014****Page 2**

- 5 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Barajas failed to provide random urine samples on the following dates: March 10, 12, and 27, 2014; and April 9, 2014. Regarding the missed test from March 10, 2014, this officer spoke with the defendant, and he agreed to make it up on March 12, 2014.

- 6 **Standard Condition #2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Supporting Evidence: Mr. Barajas failed to report to the U.S. Probation Office during the month of April 2014, between the first and fifth of the month to complete his monthly report form.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 17, 2014

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☐ Defendant to appear before the Judge assigned to the case.
☐ Defendant to appear before the Magistrate Judge.
☐ Other

s/ Fred Van Sickle

Signature of Judicial Officer

4/18/14

Date